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DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES  
**DIVISION OF ENVIRONMENTAL PROTECTION**

333 W. Nye Lane, Room 138  
Carson City, Nevada 89706

## Notice of Intent

The Administrator of the Division of Environmental Protection gives notice that an application for a Reclamation Permit for a mining operation for the Phoenix Project has been properly filed with the Division of Environmental Protection in Carson City. The applicant for Permit # 0223 is:

Newmont Mining Corporation  
427 Ridge Street, Suite C  
Reno, NV 89501

This project, will be located within Lander County, and is in portion(s) of Secs. 15, 16, 21-23, 26-28 and 32-34, T.31N, R.43E and portion(s) of Secs. 2-4, 8-10, 16 and 21, T.30N, R.43E, M.D.B. & M, approximately 15 miles from the community of Battle Mountain, Nevada. The Phoenix Project is a proposed heap leach and milling facility located in the historic Copper Canyon district of the Battle Mountain Complex.

The Administrator is constrained to issue the reclamation permit or to deny the application. The Administrator has made the tentative decision to issue the reclamation permit.

Persons wishing to submit written comments or information on the tentative decision, must do so in writing no later than by 5 PM on June 4, 2004. Any person who is directly affected by the application for a permit may request, in writing, a public hearing on the application for a permit. The request must state the reason for the request and the issues to be raised at the hearing. This request must be submitted, in writing, no later than by 5 PM on June 4, 2004.

Nevada Division of Environmental Protection  
Bureau of Mining Regulation and Reclamation  
333 W. Nye Lane, Room 138  
Carson City, Nevada 89706-0851

All comments or objections received during the public notice period will be considered in the final determination regarding this application. If the Division determines written comments or requests are reasonable and indicate a significant degree of public interest in this matter, the Administrator shall schedule a public hearing in accordance with the requirements of NAC 519A.200. The Division will accept written comments in the form of facsimile, e-mail, or by mail. The comments may also be hand delivered.

The permit application and all application documents are on file at the Division and are available for public inspection and copying pursuant to NRS Chapter 239.010. For more information contact Todd Suessmith at (775) 687-9412, or toll free in Nevada (800) 992-0900, select option 2 for State Operator, then ask for 687-9412, or visit the Bureau's website at <http://ndep.state.nv.us/bmrr/bmrr01.htm>.